

DEVELOPMENT STANDARDS

May 10, 2021

A. General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Carolinas Properties, LLC (the "Petitioner") to accommodate the development of that approximately 4.801 acre site located on the east side of Marvin Road between Fruitland Road and Old Ardrey Kell Road, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Nos 223-271-47, 223-271-48, 223-271-49, 223-271-50, 223-271-51 and 223-271-52.
- The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
- The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the internal private drives/alleys and parking areas depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

B. Permitted Uses/Development Limitations

- The Site may be devoted only to a residential community containing a maximum of 42 single family attached dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district.
- Single family detached dwelling units shall not be permitted on the Site.

C. Transportation

- Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
- As depicted on the Rezoning Plan, the Site will be served by internal private drives/alleys. Minor adjustments to the locations of the internal private drives/alleys shall be allowed during the construction permitting process.
- Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.
- Prior to the issuance of a certificate of occupancy for the first new building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte or to NCDOT as applicable (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Marvin Road as required to provide right of way measuring 35 feet from the existing centerline of Marvin Road, to the extent that such right of way does not already exist.
- Prior to the issuance of a certificate of occupancy for the first new building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte or to NCDOT as applicable (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Old Ardrey Kell Road as required to provide right of way measuring 30 feet from the existing centerline of Old Ardrey Kell Road, to the extent that such right of way does not already exist.

- Petitioner shall install a southbound left turn lane on Marvin Road at the vehicular access point into the Site on Marvin Road as generally depicted on the Rezoning Plan. This left turn lane shall have 100 feet of storage.
- The vehicular access point on Old Ardrey Kell Road shall be limited to right-in, right-out movements. Subject to the approval of CDOT and/or NCDOT, Petitioner shall construct a right turn lane and concrete island within this vehicular access point as generally depicted on the Rezoning Plan to limit the vehicular movements to right-in, right-out movements.
- Subject to the approval of CDOT and/or NCDOT, Petitioner shall restripe/re-paint the painted island on Old Ardrey Kell Road for additional storage for the left-turn lane from Old Ardrey Kell Road onto Marvin Road as noted on the Rezoning Plan.
- A minimum of 7 visitor parking spaces shall be provided on the Site.
- Each driveway pad shall be at least 20 feet in length as measured from the back of curb to the garage face.

- Petitioner will dedicate to the City of Charlotte via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional right-of-way will be dedicated prior to the issuance of a certificate of occupancy for the first new building constructed on the Site. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.
- All transportation improvements required to be constructed by Petitioner under these Development Standards including the streetscape improvements, will be approved and constructed prior to the issuance of a certificate of occupancy for the first new building constructed on the Site.

D. Architectural Standards

- The maximum height of Building 15, Building 16 and Building 17 shall be 39 feet.
- The maximum height of all other buildings constructed on the Site shall be 48 feet.
- Attached to the Rezoning Plan are a series of conceptual, architectural perspectives of the single family attached dwelling units to be constructed on the Site that are intended to depict the general conceptual architectural style and character of the single family attached dwelling units to be constructed on the Site. Accordingly, each single family attached dwelling unit to be constructed on the Site shall be designed and constructed so that it is substantially similar in appearance to one of the attached conceptual, architectural perspectives with respect to architectural style, design and character. Notwithstanding the foregoing, changes and alterations to the exterior of the single family attached dwelling units to be constructed on the Site that do not materially change the overall conceptual architectural style and character shall be permitted.
- The side elevations of those single family attached dwelling units designated on the Rezoning Plan as Units 1, 10, 11, 20, 21, 28, 32 and 33 that face Marvin Road shall be substantially similar in appearance to the side elevations depicted on the elevation labeled as "Marvin Road Side Elevation" with respect to architectural style, design and character. Notwithstanding the foregoing, changes and alterations to the side elevations of these single family attached dwelling units that face Marvin Road that do not materially change the overall conceptual architectural style and character shall be permitted.
- The primary exterior building materials for the single family attached dwelling units to be constructed on the Site will be one of or a combination of portions of the following: brick veneer or similar masonry products, stone, manufactured stone and cementitious siding.
- Vinyl, EIFS or masonry may not be used as an exterior building material on any single family attached dwelling unit constructed on the Site. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.

The actual sizes of the single family attached dwelling units/lots may vary from the sizes depicted on the Rezoning Plan.

- Each single family attached dwelling unit constructed on the Site shall have a two car garage.
- The finished floor elevation of each single family attached dwelling unit located within 15 feet of a public sidewalk shall be a minimum of 12 inches above the average sidewalk grade of the public sidewalk.
- Walkways shall be provided to connect all residential entrances to sidewalks fronting public streets.

E. Streetscape and Landscaping

- A minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk shall be installed along the Site's frontages on Marvin Road and Old Ardrey Kell Road as generally depicted on the Rezoning Plan. The sidewalks may be located in a sidewalk utility easement.
- A minimum 30 foot wide preserved tree save and landscape area shall be established along the Site's northern and eastern boundary lines as more particularly depicted on the Rezoning Plan. At a minimum, this 30 foot wide preserved tree save and landscape area shall meet the tree and shrub requirements of a Class C buffer. If the existing trees and shrubs located within this 30 foot wide preserved tree save and landscape area do not meet the tree and shrub requirements of a Class C buffer, then Petitioner shall plant and install supplemental trees and shrubs to bring the 30 foot wide preserved tree save and landscape area into compliance with the tree and shrub requirements of a Class C buffer.
- A vinyl, opaque fence or a wood, opaque fence will be installed along the boundary of the Site within the minimum 30 foot wide preserved tree save and landscape area as depicted on the Rezoning Plan. In the event that a vinyl, opaque fence is installed, the design of the vinyl, opaque fence shall be substantially similar in appearance to Option 1 or Option 2 on the fence detail on the Rezoning Plan. The height of a vinyl, opaque fence or a wood, opaque fence shall be the maximum height allowed under the Ordinance (8 feet or 6 feet as allowed under the Ordinance).
- The fence described above in paragraph E.3 shall be installed prior to the commencement of grading activities on the Site. The demolition of the existing homes on the Site shall not constitute grading activities for purposes of this note.
- In connection with the installation of the fence on the Site described above in paragraph E.3, Petitioner shall remove any existing fence located on an abutting parcel of land along the abutting parcel of land's common boundary line with the Site provided that the owner of the abutting parcel of land gives Petitioner written permission to remove the existing fence. If an owner of an abutting parcel of land does not provide Petitioner with written permission to remove the existing fence, then Petitioner shall not have an obligation to remove such fence.

F. Lighting

- All freestanding lighting fixtures installed on the Site by Petitioner (excluding street lights, lower, decorative lighting that may be installed along the driveways, private alleys, sidewalks and walkways and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- The maximum height of any freestanding lighting fixture installed on the Site by Petitioner, including its base, shall not exceed 16 feet.

G. Environmental

- Development of the Site shall comply with the City of Charlotte Tree Ordinance.
- Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.

3. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

4. For adjoining parcels receiving storm water discharge the petitioner shall analyze the adequacy of the existing storm water conveyance on the adjoining parcels to the nearest public R/W. If the existing storm water conveyance on the adjoining parcels is found to be inadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the storm water conveyance or mitigate the storm water discharge onto the adjoining parcels.

5. Roll out trash and recycling containers for individual dwelling units shall be utilized. The dumpster and recycling area depicted on the Rezoning Plan is shown for the purpose of meeting the requirements for a conditional rezoning plan. The dumpster and recycling area depicted on the Rezoning Plan shall be converted to open space at the time the Site is developed.

Construction Hours

Construction activities conducted on the Site on Mondays, Tuesdays, Wednesdays, Thursdays or Fridays may not commence prior to 7:00 AM and must cease by 7:00 PM. Notwithstanding the foregoing, these time restrictions shall not apply to interior construction activities that are conducted within an enclosed building.

Construction activities conducted on the Site on Saturdays may not commence prior to 8:00 AM and must cease by 7:00 PM. Notwithstanding the foregoing, these time restrictions shall not apply to interior construction activities that are conducted within an enclosed building.

Construction activities may not be conducted on the Site on Sundays.

Improved Open Space Areas

Each of the three improved open space areas on the Site shall contain, at a minimum, hardscape, landscaping and seating.

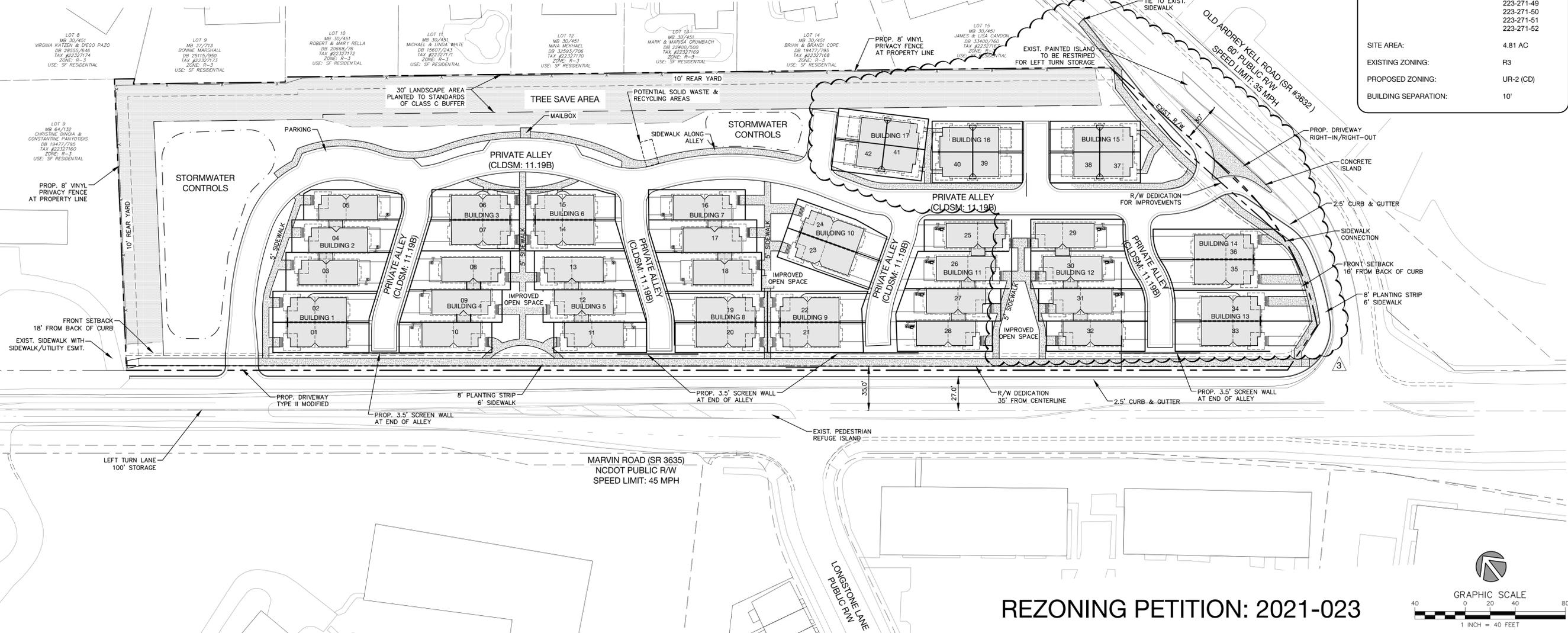
The total combined size of the three improved open spaces areas on the Site shall be a minimum of 7,500 square feet.

Binding Effect of the Rezoning Documents and Definitions

- If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

DEVELOPMENT SUMMARY

TAX PARCEL ID #:	223-271-47 223-271-48 223-271-49 223-271-50 223-271-51 223-271-52
SITE AREA:	4.81 AC
EXISTING ZONING:	R3
PROPOSED ZONING:	UR-2 (CD)
BUILDING SEPARATION:	10'



1213 w morehead st., suite 450
charlotte, nc 28208
urbandesignpartners.com
nc firm no: P-0418 P 704.334.3303
sc cca no: C-03044 F 704.334.3305

Carolinas Properties, LLC
Mukesh Guntaka

1410 Furry Cide Drive
Waxhaw, NC 28173

Rayna Homes
Rezoning Plan
Marvin Road Charlotte, NC

NO.	DATE	BY:	REVISIONS:
1	03.25.21	udp	per city comments
2	04.21.21	udp	per city comments
3	05.10.21	udp	per city comments

Project No: 20-067
Date: 01.25.2021
Designed By: udp
Checked By: udp
Sheet No:

RZ-1.0

REZONING PETITION: 2021-023



**URBAN
DESIGN
PARTNERS**

1213 w morehead st., suite 450
charlotte, nc 28208
urbandesignpartners.com
nc firm no: P-0418 P 704.334.3303
sc coa no: C-03044 F 704.334.3305

Carolinas Properties, LLC
Mukesh Guntaka

1410 Funny Cide Drive
Waxhaw, NC 28173

Rayna Homes

Conceptual Elevations
Marvin Road Charlotte, NC

NO.	DATE	BY:	REVISIONS:
1	03.25.21	udp	per city comments
2	04.21.21	udp	per city comments
3	05.10.21	udp	per city comments

Project No: 20-067
Date: 01.25.2021
Designed By: udp
Checked By: udp
Sheet No:



REPRESENTATIVE IMAGES OF FENCE ALONG PROPERTY LINE

REZONING PETITION: 2021-023

RZ-1.1